

AMENDED IN ASSEMBLY AUGUST 11, 2014

AMENDED IN ASSEMBLY JUNE 30, 2014

AMENDED IN SENATE MAY 13, 2014

AMENDED IN SENATE APRIL 7, 2014

SENATE BILL

No. 1226

Introduced by Senator Correa

(~~Coauthor: Assembly Member Mansoor~~)

February 20, 2014

An act to amend Section ~~83123.5~~ of the Government Code, 7574.18 of, and to add Section 115.4 to, the Business and Professions Code, relating to ~~the Political Reform Act of 1974~~ veterans.

LEGISLATIVE COUNSEL'S DIGEST

SB 1226, as amended, Correa. ~~Political Reform Act of 1974: local campaign finance reform~~. Veterans: professional licensing.

Under existing law, boards within the Department of Consumer Affairs license and regulate persons practicing various healing arts, professions, vocations, and businesses, including accountants, dentists, proprietary security services, and real estate brokers. Existing law requires a board to expedite the licensure process for an applicant who holds a current license in another state, district, or territory of the United States in the profession or vocation for which he or she seeks a license from the board, if the applicant is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active duty military orders.

This bill, on and after July 1, 2016, would require a board to expedite, or when applicable assist, the licensure process for an applicant who

supplies satisfactory evidence to the board that he or she has served as an active duty member of the Armed Forces of the United States and was honorably discharged.

Existing law requires a person registered and hired as a proprietary private security officer to complete training in security officer skills within 6 months of registration being issued or being employed, except as specified.

This bill would authorize submission of Verification of Military Experience and Training (VMET) records showing the person has completed comparable military training in lieu of completing a course of training in security officer skills. The bill would require the department to determine the type of equivalent military training that qualifies to serve as a substitute.

~~Existing law, until January 1, 2018, authorizes the Fair Political Practices Commission, upon mutual agreement between the Commission and the Board of Supervisors of the County of San Bernardino, to have primary responsibility for the impartial, effective administration, implementation, and enforcement of a local campaign finance reform ordinance of the County of San Bernardino. Existing law authorizes the Commission to investigate possible violations of the local county campaign finance reform ordinance and bring administrative actions against persons who violate the ordinance, as specified. Existing law requires the Board of Supervisors of the County of San Bernardino to consult with the Commission prior to adopting and amending any local campaign finance reform ordinance that is subsequently enforced by the Commission. Existing law specifies that the Board of Supervisors of the County of San Bernardino and the Commission may enter into any agreements necessary and appropriate for the operation of these provisions, including agreements for reimbursement of state costs with county funds, as specified. Existing law provides that the Board of Supervisors of the County of San Bernardino or the Commission may, at any time, by ordinance or resolution, terminate any agreement for the Commission to administer, implement, or enforce the local campaign finance reform ordinance or any provision thereof. Existing law requires the Commission to report to the Legislature with specified information on or before January 1, 2017, if the Commission enters into an agreement with the Board of Supervisors of the County of San Bernardino.~~

~~This bill would extend these provisions to any participating city or county, as specified. The bill would modify these provisions by requiring~~

~~the Commission to be the civil prosecutor responsible for the civil enforcement of the local campaign finance ordinance, as specified, and authorizing the Commission to provide advice and guidance regarding the ordinance and to bring civil actions to enforce the civil penalties and remedies of the ordinance. The bill would extend these provisions until January 1, 2020.~~

~~The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.~~

~~This bill would declare that it furthers the purposes of the act.~~

~~Vote: $\frac{2}{3}$ majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.~~

The people of the State of California do enact as follows:

1 SECTION 1. Section 115.4 is added to the Business and
2 Professions Code, to read:

3 115.4. (a) Notwithstanding any other law, on and after July
4 1, 2016, a board within the department shall expedite, and may
5 assist, the licensure process for an applicant who supplies
6 satisfactory evidence to the board that the applicant has served
7 as an active duty member of the Armed Forces of the United States
8 and was honorably discharged.

9 (b) A board may adopt regulations necessary to administer this
10 section.

11 SEC. 2. Section 7574.18 of the Business and Professions Code
12 is amended to read:

13 7574.18. (a) Except for a person who has completed the course
14 of training required by Section 7583.45, a person registered and
15 hired as a proprietary private security officer shall complete training
16 in security officer skills within six months from the date upon
17 which registration is issued, or within six months of his or her
18 employment with a proprietary private security employer.

19 (b) (1) Except as provided in paragraph (2), a course provider
20 shall issue a certificate to a proprietary private security officer
21 upon satisfactory completion of a required course, conducted in
22 accordance with the department's requirements.

23 (2) If a proprietary private security employer administers a
24 course of training pursuant to this section, that proprietary private

1 security employer shall issue a certificate to a proprietary private
2 security officer for the completion of training in security officer
3 skills that each proprietary private security officer is required to
4 complete, as determined by the department, ~~such as~~, *including*,
5 but not limited to, power-to-arrest training. However, the employer
6 shall not be required to provide a certificate for training courses
7 provided pursuant to a curriculum adopted by the department that
8 are specific to that employer's business and where the subject of
9 training is not specifically required by the department.

10 (c) An employer of a proprietary private security officer may
11 provide training programs and courses in addition to the training
12 required in this section.

13 (d) The department shall develop and establish by regulation a
14 standard course and curriculum, which shall include a minimum
15 number of hours of instruction, for the skills training required by
16 subdivision (a) to promote and protect the safety of persons and
17 the security of property. For this purpose, the regulations adopted
18 by the department pursuant to Section 7574.5, as added by Chapter
19 721 of the Statutes of 2007, are continued in existence, and shall
20 be amended by the department as necessary.

21 (e) The course of training required by subdivision (a) may be
22 administered, tested, and certified by any proprietary private
23 security employer, organization, or school approved by the
24 department. The department may approve any proprietary private
25 security employer, organization, or school to teach the course.

26 (f) (1) A proprietary private security employer shall annually
27 provide each employee registered pursuant to this chapter with
28 specifically dedicated review or practice of security officer skills
29 prescribed in the training required in this section. The bureau shall
30 adopt and approve by regulation the minimum number of hours
31 required for annual review.

32 (2) A proprietary private security employer shall maintain at
33 the principal place of business or branch office a record verifying
34 completion of the review or practice training for a period of not
35 less than two years. The records shall be available for inspection
36 by the department upon request.

37 (g) This section does not apply to a peace officer, as defined in
38 Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2
39 of the Penal Code, who has successfully completed a course of
40 study in the exercise of the power to arrest approved by the

Commission on Peace Officer Standards and Training. This section does not apply to armored vehicle guards.

(h) A person registered and hired as a proprietary private security officer may submit Verification of Military Experience and Training (VMET) records that document that the person has completed equivalent military training in lieu of completing a course of training in security officer skills pursuant to subdivision (a). The department shall determine the type of equivalent military training that qualifies to serve as a substitute.

~~SECTION 1. Section 83123.5 of the Government Code is amended to read:~~

~~83123.5. (a) Upon mutual agreement between the Commission and the city council or board of supervisors of a participating city or county, the Commission is authorized to assume primary responsibility for the impartial, effective administration, implementation, and enforcement of a local campaign finance ordinance. Upon agreement, the Commission shall be the civil prosecutor responsible for the civil enforcement of that local campaign finance ordinance in accordance with this title. As the civil prosecutor of the participating city's or county's local campaign finance ordinance, the Commission is not required to seek authorization from the city attorney or district attorney of a participating city or county to bring a civil or administrative action to enforce the ordinance. As the civil prosecutor of the participating city's or county's local campaign finance ordinance, the Commission may do all of the following:~~

~~(1) Provide advice and guidance regarding the local campaign finance ordinance.~~

~~(2) Investigate possible violations of the local campaign finance ordinance.~~

~~(3) Bring administrative actions to enforce the local campaign finance ordinance in accordance with this title and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2.~~

~~(4) Bring civil actions to enforce the civil penalties and remedies of the local campaign finance ordinance.~~

~~(b) Any local campaign finance ordinance of the participating city or county enforced by the Commission pursuant to this section shall comply with this title.~~

~~(e) The city council or board of supervisors of the participating city or county shall consult with the Commission prior to adopting or amending any local campaign finance ordinance that is subsequently enforced by the Commission pursuant to this section.~~

~~(d) (1) The city council or board of supervisors of the participating city or county and the Commission may enter into any agreements necessary and appropriate to carry out the provisions of this section, including agreements pertaining to any necessary reimbursement of state costs with county funds for costs incurred by the Commission in administering, implementing, or enforcing a local campaign finance ordinance pursuant to this section.~~

~~(2) An agreement entered into pursuant to this subdivision shall not contain any form of a cancellation fee, a liquidated damages provision, or other financial disincentive to the exercise of the right to terminate the agreement pursuant to subdivision (e), except that the Commission may require the city council or board of supervisors of the participating city or county to pay the Commission for services rendered and any other expenditures reasonably made by the Commission in anticipation of services to be rendered pursuant to the agreement in the event that the city council or board of supervisors of the participating city or county terminates the agreement.~~

~~(e) The city council or board of supervisors of the participating city or county or the Commission may, at any time, by ordinance or resolution, terminate any agreement made pursuant to this section for the Commission to administer, implement, or enforce a local campaign finance ordinance or any provision thereof.~~

~~(f) If an agreement is entered into pursuant to this section, the Commission shall report to the Legislature regarding the performance of that agreement on or before January 1, 2019, and shall submit that report in compliance with Section 9795. The Commission shall develop the report in consultation with the city council or board of supervisors of the participating city or county. The report shall include, but not be limited to, all of the following:~~

~~(1) The status of the agreement.~~

~~(2) The estimated annual cost savings, if any, for the participating city or county.~~

1 ~~(3) A summary of relevant annual performance metrics,~~
2 ~~including measures of utilization, enforcement, and customer~~
3 ~~satisfaction.~~

4 ~~(4) Any public comments submitted to the Commission or the~~
5 ~~participating city or county relative to the operation of the~~
6 ~~agreement.~~

7 ~~(5) Any legislative recommendations.~~

8 ~~(g) For purposes of this section, “participating city or county”~~
9 ~~means any city or county that enters into a mutual agreement~~
10 ~~described in subdivision (a).~~

11 ~~(h) This section shall remain in effect only until January 1, 2020,~~
12 ~~and as of that date is repealed, unless a later enacted statute that~~
13 ~~is enacted before January 1, 2020, deletes or extends that date.~~

14 ~~SEC. 2. The Legislature finds and declares that this bill furthers~~
15 ~~the purposes of the Political Reform Act of 1974 within the~~
16 ~~meaning of subdivision (a) of Section 81012 of the Government~~
17 ~~Code.~~